

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF YAVAPAI

DIVISION: 6

By HON. WARREN R. DARROW

CASE NO. P1300CR20081339

JEANNE HICKS, CLERK

By: Heather Smith, Deputy Clerk

DATE: September 24, 2010

FILED

DATE: 09/24/10

1:45 O'Clock P.M.

JEANNE HICKS, CLERK

BY: **HEATHER SMITH**

Deputy

TITLE:

STATE OF ARIZONA

(Plaintiff)

Vs.

STEVEN CARROLL DEMOCKER

(D-1)

(Defendant)

COUNSEL:

Yavapai County Attorney

(For Plaintiff)

John Sears

Larry Hammond & Anne Chapman

OSBORN MALEDON, P.A.

(For Defendant)

HEARING ON:

Pending Motions - Sealed

NATURE OF PROCEEDINGS

COURT REPORTER

Roxanne Tarn

START TIME: 1:45 p.m.

APPEARANCES: Joseph Butner, Deputy County Attorney
Jeff Paupore, Deputy County Attorney
John Sears, Counsel for Defendant
Larry Hammond, Counsel for Defendant
Anne Chapman, Counsel for Defendant
Steven Carroll Democker, Defendant in Custody

At 1:45 p.m., Court reconvenes with both County Attorney's, all Defense Counsel and the Defendant present.

Court indicates, this is a sealed proceeding.

Counsel for Defendant believes, Mr. Sechez does not need to be present during these proceedings and believes he should be excluded.

Court indicates, if Mr. Sechez chooses to stay, he will be disqualified from testifying in this matter on behalf of the State.

Counsel for State requests Mr. Sechez leave the Courtroom at this time.

Counsel for Defendant, Hammond, provides the Court with an update since the last proceeding.

Counsel for Defendant and Counsel for State have met to discuss the current issues.

Counsel for State has agreed that the death penalty will not be re-urged upon new Counsel if that be the case, unless the victims request it.

Counsel for State has agreed that charges will not be brought against John Sears for anything to do with the anonymous e-mail.

Counsel indicates, the State has now brought new charges against the Defendant in this matter. Defendant has now been initialed on those charges and re-booked.

Counsel has attempted to contact the Yavapai County Public Defender to see if Counsel can be appointed for the new matter. Defendant has now been appointed and met with a Public Defender as to the new matter.

Counsel notes, [REDACTED]
[REDACTED]

Counsel further notes, a Grand Jury Subpoena has been issued for John Sears in regards to the Defendant's new case.

Counsel requests this Court take appropriate action as to the current prosecution as his pleading filed yesterday states. Counsel believes this matter shall be dismissed at this time.

Counsel for State responds.

Counsel for Defendant, Hammond, replies.

Court will not decide the issue without additional briefing or conducting his own research.

Counsel shall get the information to the Court, either through the Judicial Assistant or e-mail.

Court will attempt to clear his calendar for Monday morning to discuss this issue.

Court takes a brief recess at 230 p.m.

At 2:37 p.m., Court reconvenes with all parties present.

Court sets a hearing in the Verde on Monday from 2:00 p.m. to 3:00 p.m.

Counsel further discuss the issues.

Court adjourns at 2:51 p.m.

At 4:14 p.m., Court reconvenes with Counsel for State, Butner, Counsel for Defendant, Sears and Chapman, Charlotte Democker, Katy Democker and Mr. Dupont present, all telephonically.

Mr. Dupont informs the Court, Charlotte Democker may apply for an attorney on her behalf.

Counsel for State requests Mr. Dupont accept a grand jury subpoena on Charlotte Democker's behalf.

After conferring with Charlotte Democker, Mr. Dupont indicates, he will accept service of the grand jury subpoena on behalf of Charlotte Democker.

Court informs Counsel, if Counsel needs a copy of a transcript of a sealed proceeding, any attorney participating in the hearing can get a transcript without a Court order.

Court adjourns at 4:28 p.m.

cc: Dean Trebesch (Contract Administrator) (PD)
Christopher DuPont, Trautman DuPont PLC,
Counsel for Victims Charlotte and Katherine DeMocker
YCSO – Detention Records
Victim Services
John Napper, Counsel for Renee Girard
Division 6